



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

**Board Members**

Andrew Kunasek, District 3, Chairman  
Max Wilson, District 4, Vice Chairman  
Fulton Brock, District 1  
Don Stapley, District 2  
Mary Rose Wilcox, District 5

**County Manager**

David Smith

**Clerk of the Board**

Fran McCarroll

**Meeting Location**

BOS Auditorium  
205 W Jefferson  
Phoenix, AZ

# FORMAL MEETING MINUTES

## BOARD OF SUPERVISORS Maricopa County, Arizona

(and the Boards of Directors of the Flood Control District, Library District,  
Stadium District, Improvement Districts and/or Board of Deposit)

**Tuesday, November 18, 2008  
9:00 AM**

**1. INVOCATION**

Supervisor Mary Rose Wilcox, District 5, gave the invocation.

**2. PLEDGE OF ALLEGIANCE**

Juanita Garza, Clerk of the Board's Office, led the assemblage in the Pledge of Allegiance.

**3. ROLL CALL**

The Board of Supervisors of Maricopa County Arizona convened in Formal Session at 9:00 AM on Tuesday, November 18, 2008, in the Supervisors Auditorium with the following members present: Andrew Kunasek, Chairman, District 3; Fulton Brock, District 1; Don Stapley, District 2; Max Wilson, District 4 and Mary Rose Wilcox, District 5. Also present: Lori Pacini, Deputy Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager and Victoria Mangiapane, Deputy County Attorney.

**BOARD OF SUPERVISORS**

**4. PET SHOWCASE BY MARICOPA COUNTY ANIMAL CARE AND CONTROL**

The Pet Showcase was not presented at this meeting. Anyone interested in adopting a cat or dog from the Maricopa County Animal Care and Control may call the facility for information, 602-506-PETS.

**PRESENTATIONS**

**5. STORMREADY AWARD**

Presentation regarding the award for Maricopa County for being StormReady. At the conclusion of the presentation, accept award from Kenneth Waters of the National Weather Service for recognizing Maricopa County as being "StormReady". (C-15-09-010-P-00)

Kenneth Waters, Warning Coordination Meteorologist  
Warren Leek, Director

Ken Waters, Warning Coordination Meteorologist for the National Weather Service in Phoenix, AZ, said he was here to honor their great relationship with Maricopa County, Department of Emergency Management and the Flood Control District. He referenced a national program called "StormReady" collaborating services from the National Weather Services and local jurisdictions for public awareness and preparedness by keeping communication lines open, especially in time of an emergency. He presented a Certificate of Recognition to Maricopa County for renewal from 2008 through 2011.

Warren Leek, Director, Emergency Management, expressed his thanks for this recognition. He said, "Strangely enough, flooding is the #1 emergency that we face in Maricopa County." He added that this is a very key component in their service to the citizens of the County.

**6. PRESENTATION AND DONATION FROM FRIENDS OF ANIMAL CARE & CONTROL FOR SPAY/NEUTER VOUCHER PROGRAM**

Presentation and accept the restricted monetary donation from Friends of Animal Care & Control (FACC's) of Phoenix, AZ to fund the Maricopa County Spay/Neuter Voucher Program in the amount of \$241,246 and the Foster Program in the amount of \$11,665.98. The total donation received was in the amount of \$252,911.98. Also, recognize the benefits provided by the Maricopa County Spay/Neuter Voucher Program. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law.

The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-040-P-00)

Dr. Rodrigo Silva, Assistant County Manager

Dr. Silva, Director of Animal Care and Control, explained this donation was mainly to be used for the standard voucher program that allows pet owners to take advantage of the "Big Fix" neutering program for their pets. He said that over 11,000 pets in this County were sterilized through this program last year. He read a letter from Christown Animal Hospital and Boarding where more than 100 spay and neuter surgeries are done through this program every month. The letter stated that pet owners who have no money for surgeries on their pets love the "Big Fix Program" that Maricopa County started. The doctor who owns the clinic said that this program helped his clinic to survive during the slow period when construction of the light rail system slowed his business so much he considered closing it. He also alluded to the four people he has hired, during this time of recession, because of his increased business due to this program. Dr. Silva said, "This is a great program that helps create jobs for the jobless, helps the low-income people and veterinarians." He said this contribution from Friends of Animal Care and Control of \$241,000 will be used to continue this wonderful service. He thanked them for these funds, and also thanked the Board of Supervisors for their continuing support of this unmandated program as chosen by the County as a necessary special benefit to residents and allows the facility to continue their lifesaving services.

Chairman Kunasek said, "This is an incredibly generous gift that is improving the community and enhancing people's experience with pet ownership." He thanked Melissa Gable and the Friends of Animal Care and Control for expressing their friendship so generously.

Supervisor Stapley said he noticed the contributions in the agenda prior to the meeting and that it, "blew me away when I saw this one." He added that the generosity and the phenomenal support from this group is overwhelming and very much appreciated by the County.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **STATUTORY HEARINGS**

### **Clerk of the Board**

#### **7. LIQUOR LICENSE APPLICATIONS**

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

**a. NEW SERIES LIQUOR LICENSE FOR SUPER MERCADO Y CARNICERIA NAMIQUIPA**

Pursuant to A.R.S. 4-201, approve an application filed by Theresa June Morse for a New Series 10 Liquor License for Super Mercado Y Carniceria Namiquipa, at 3449 W. Southern Avenue, Phoenix, AZ 85041. AZ#10075691, MCLL#6278. (C-06-09-158-L-00)

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Wilcox, Wilson  
Nays: Brock

**b. SPECIAL EVENT LIQUOR LICENSE FOR OUR LADY OF LOURDES**

Pursuant to A.R.S. §4-201, approve a Special Event Liquor License application filed by Shirley A. McGarrigle for Our Lady of Lourdes Women's Guild, 14818 West Deer Valley Drive, Sun City West, AZ 85375 for December 31, 2008, from 5:00 to 11:00 p.m. MCLL #861. (C-06-09-166-L-00)

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Wilcox, Wilson  
Nays: Brock

**c. LIQUOR LICENSE TEMPORARY EXTENSION OF PREMISES FOR GAVILAN PEAK SPORTS BAR & GRILL**

Pursuant to A.R.S. §4-201, approve an application filed by Michael R. Thomas for a Temporary Extension of Premises for the Gavilan Peak Sports Bar & Grill, 46639 N. Black Canyon Hwy, New River, AZ 85087, on November 22, 2008. (AZLL#06070112) (MCLL #A-664-104) **Planning and Development does not recommend approval.** (C-06-09-165-L-00)

Chairman Kunasek asked Joy Rich, Assistant County Manager, if it is still the position of Planning and Development to deny approval of this Temporary Extension of Premises.

Joy Rich, Assistant County Manager, said that all approvals have not been received at this time and the recommendation must stand.

Supervisor Wilson said it is mandatory for the Board to deny this, however, this is just a recommendation to the State and it could still be approved by them.

Motion to deny by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**d. SPECIAL EVENT LIQUOR LICENSE FOR THE KNIGHTS OF COLUMBUS**

Pursuant to A.R.S. §4-201, approve a Special Event Liquor License application filed by Michael F. Chabak for the Knights of Columbus at 14818 W. Deer Valley Drive, Sun City West, AZ 85375 on November 25, 2008, from 5:00 to 9:00 p.m. MCSELL #862. (C-06-09-167-L-00)

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Wilcox, Wilson  
Nays: Brock

**e. SPECIAL EVENT LIQUOR LICENSE FOR ST. ELIZABETH SETON**

Pursuant to ARS §4-201, approve a Special Event Liquor License Application for Richard F. McManus, St. Elizabeth Seton Church, 9728 Palmeras Drive, Sun City AZ 85373, on November 22, 2008, from 4:30 p.m. to 11:00 p.m. SELL #863 (C-06-09-180-L-00)

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Wilcox, Wilson  
Nays: Brock

**8. FORMATION OF THE PROPOSED CHANDLER COUNTY ISLAND FIRE DISTRICT**

Pursuant to A.R.S. § 48-851, convene a public hearing on the petition for the proposed Chandler County Island Fire District located in the City of Chandler municipal planning area. If the petitions are determined to be valid, the Board shall order the formation of the district and enter its order in the minutes. The order will include the appointment of the following three members of the organizing board of directors of the district as set forth in the petition: Jack A. Rassi Edward R. Hurley Ruth Coleman The order of the Board shall be final and the district will be formed thirty days from the date of the Board's vote. (Supervisorial District 1) (C-06-09-160-7-01)

Supervisor Brock thanked Chandler for their cooperation in forming this district and for agreeing to provide emergency services to the people living on County islands, calling it a very positive service to residents. He thanked those chosen as Directors for the new Fire District Board for their willingness to serve.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**AGENCY ITEMS AND STATUTORY MATTERS**

**COUNTY OFFICERS**

**County Attorney**

**9. APPEAL IN GRAVES V. ARPAIO CV-77-0479-PHX-NVW**

Approve the filing of Notices of Appeal in Graves v. Arpaio CV-77-0479-PHX-NVW. This item was discussed in Executive Session on October 31, 2008. (C-19-09-036-M-00)

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Sheriff**

**10. AGREEMENT WITH SALT RIVER PROJECT (SRP) AGRICULTURAL IMPROVEMENT & POWER DISTRICT FOR REIMBURSEMENT OF DAM ENHANCEMENTS**

Approve the Agreement between the Salt River Project (SRP) Agricultural Improvement & Power District and Maricopa County on behalf of the Maricopa County Sheriff's Office (MCSO) to allow reimbursement of up to \$107,000 from Arizona Homeland Security grant funding for the Buffer Zone Protection Program. The reimbursement period is July 1, 2007 through December 31, 2008. These expenses were funded in the FY 2008-09 Sheriff's Office grant fund appropriation.

This funding is from the Arizona Department of Homeland Security, Subgrantee Agreement 07-AZDOHS-HSGP-222207-08 approved by the Board of Supervisors on February 20, 2008 (C-50-08-550-3). The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Because the Salt River Project (SRP) Agricultural Improvement & Power District is a subrecipient of Sheriff's Office grant funds, the indirect cost amount of \$13,054 is not applicable. (C-50-08-550-3-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**11. RESOLUTION TO THE ARIZONA STATE PARKS BOARD TO APPLY FOR LAW ENFORCEMENT AND BOATING SAFETY FUNDS**

Adopt a Resolution to the Arizona State Parks Board and, if awarded, approve acceptance of a grant for Law Enforcement and Boating Safety Funds not-to-exceed \$425,000. This grant funds 50% of the salaries and benefits for up to 10 existing deputy sheriff positions that provide boating law enforcement on the county lakes and rivers. The Sheriff's Office has received Law Enforcement and Boating Safety Funds for approximately sixteen years. A 50% soft match requirement is met by funding the balance of these existing positions in the General Fund (100). The estimated award period is July 1, 2009 through June 30, 2010.

The Sheriff's Office FY 2008-09 indirect costs rate is 12.2%. These grant funds are the result of A.R.S. §5-383 and indirect cost recovery is not allowed. The unrecoverable indirect costs associated with this grant are estimated to be \$51,850. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of these revenues is not prohibited by the law. An amount for this funding will be included in the FY 2009-2010 grant budget submission. (C-50-09-032-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**12. AGREEMENT AND ACCEPTANCE OF HOMELAND SECURITY, URBAN AREA SECURITY INITIATIVE GRANT FUNDS FOR TACTICAL RESPONSE TEAMS**

Approve an Agreement between the Arizona Department of Homeland Security (AZDOHS) and Maricopa County on behalf of the Sheriff, for the 2008 Homeland Security Grant Program Award, number 444817-02 and acceptance of up to \$58,334 in grant funding for the Phoenix Tactical Response Teams, funded under the Urban Area Security Initiative.

The term of this award is October 1, 2008 through September 30, 2009. The corresponding application was filed under agenda C-50-07-541-3-ZZ, Section A., approved on March 21, 2007. Also approve an increase to the Sheriff's Office (500) grant fund (251) non-recurring (0001) revenue and expenditure appropriations for FY 2009 not-to-exceed \$58,334.

These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Unrecoverable indirect costs associated with this Agreement are estimated to be \$7,116.75. (C-50-09-036-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**13. AGREEMENT AND ACCEPTANCE OF HOMELAND SECURITY, URBAN AREA SECURITY INITIATIVE GRANT FUNDS FOR TARGET HARDENING**

Approve an Agreement between the Arizona Department of Homeland Security (AZDOHS) and Maricopa County on behalf of the Sheriff, for the 2008 Homeland Security Grant Program Award, number 444817-03 and acceptance of up to \$200,000 in grant funding for the Threat and Vulnerability Assessment/Target Hardening, funded under the Urban Area Security Initiative. The term of this award is October 1, 2008 through September 30, 2009. The corresponding application was filed under BOS agenda C-50-07-541-3-ZZ, Section A., approved on March 21, 2007. Also approve an increase to the Sheriff's Office (500) grant fund (251) non-recurring (0001) revenue and expenditure appropriations for FY 2009 not-to-exceed \$200,000. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Unrecoverable indirect costs associated with this Agreement are estimated to be \$4,209. There will be capital purchases associated with this grant which are not included in the indirect cost calculation. (C-50-09-037-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**14. AGREEMENT AND ACCEPTANCE OF HOMELAND SECURITY, URBAN AREA SECURITY INITIATIVE GRANT FUNDS FOR TERRORISM LIAISON OFFICERS**

Approve an Agreement between the Arizona Department of Homeland Security (AZDOHS) and Maricopa County on behalf of the Sheriff, for the 2008 Homeland Security Grant Program Award, number 444817-04 and acceptance of up to \$16,000 in grant funding for the Urban Area Assessment Teams-Terrorism Liaison Officers, funded under the Urban Area Security Initiative. The term of this award is October 1, 2008 through September 30, 2009. The corresponding application was filed under BOS agenda C-50-07-541-3-ZZ, Section A., approved on March 21, 2007. Also approve an increase to the Sheriff's Office (500) grant fund (251) recurring (0000) revenue and expenditure appropriations for FY 2008-09 not-to-exceed \$16,000. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Unrecoverable indirect costs associated with this Agreement are estimated to be \$1,952. (C-50-09-038-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**15. AGREEMENT AND ACCEPTANCE OF HOMELAND SECURITY, URBAN AREA SECURITY INITIATIVE GRANT FUNDS FOR RAPID RESPONSE SUSTAINMENT 1 OF 3**

Approve an Agreement between the Arizona Department of Homeland Security (AZDOHS) and Maricopa County on behalf of the Sheriff, for the 2008 Homeland Security Grant Program Award, number 444817-05 and acceptance of up to \$58,618 in grant funding for the Maricopa County Sheriff's Office (MCSO) Rapid Response Team (RRT) Sustainment, funded under the Urban Area Security Initiative. The term of this award is October 1, 2008 through September 30, 2009. The corresponding application was filed under BOS agenda C-50-07-541-3-ZZ, Section A., approved on March 21, 2007. Also approve an increase to the Sheriff's Office (500) grant fund (251) non-recurring (0001) revenue and expenditure appropriations for FY 2009 not-to-exceed \$58,618. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Unrecoverable indirect costs associated with this Agreement are estimated to be \$7,151.40. (C-50-09-039-G-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**16. DONATION**

Accept the donation of \$250 from Best Materials, LLC in the month of October to the Sheriff's Office. (C-50-09-040-D-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilson  
Nays: Wilcox

**17. AGREEMENT AND ACCEPTANCE OF HOMELAND SECURITY, URBAN AREA SECURITY INITIATIVE GRANT FUNDS FOR RAPID RESPONSE TEAM - SEARCH & RESCUE EQUIPMENT 2 OF 3**

Approve an Agreement between the Arizona Department of Homeland Security (AZDOHS) and Maricopa County on behalf of the Sheriff, for the 2008 Homeland Security Grant Program Award, number 444817-06 and acceptance of up to \$39,598 in grant funding for the Maricopa County Sheriff's Office (MCSO) Rapid Response Team (RRT) Sustainment, funded under the Urban Area Security Initiative. The term of this award is October 1, 2008 through September 30, 2009. The corresponding application was filed under agenda C-50-07-541-3-ZZ, Section A., approved on March 21, 2007. Also approve an increase to the Sheriff's Office (500) grant fund (251) non-recurring (0001) revenue and expenditure appropriations for FY 2009 not-to-exceed \$39,598. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law.



This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Unrecoverable indirect costs associated with this Agreement are estimated to be \$1,585.76. There will be capital purchases associated with this grant which are not included in the indirect cost calculation. (C-50-09-041-G-00)

Supervisor Wilson explained that he sits on the Homeland Security Board and said they have greatly improved the process of determining need and distributing the monies from what it was at first. He said everyone is taking a broader view now and the different districts in the State are becoming less parochial and looking more at the "big picture."

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**18. AGREEMENT AND ACCEPTANCE OF HOMELAND SECURITY, URBAN AREA SECURITY INITIATIVE GRANT FUNDS FOR THE RAPID RESPONSE TEAM SUSTAINMENT 3 OF 3 - COMMUNICATIONS**

Approve an Agreement between the Arizona Department of Homeland Security (AZDOHS) and the Maricopa County Sheriff's Office, for the 2008 Homeland Security Grant Program Award, number 444817-07 and acceptance of up to \$36,784 in grant funding for the Maricopa County Sheriff's Office (MCSO) Rapid Response Team (RRT) Sustainment, funded under the Urban Area Security Initiative. The term of this award is October 1, 2008 through September 30, 2009. The corresponding application was filed under agenda C-50-07-541-3-ZZ, Section A., approved on March 21, 2007. Also approve an increase to the Sheriff's Office (500) grant fund (251) non-recurring (0001) revenue and expenditure appropriations for FY 2009 not-to-exceed \$36,784. These revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. 42-17105.

The Sheriff's Office indirect cost rate for FY 2008-09 is 12.2%. Unrecoverable indirect costs associated with this Agreement are estimated to be \$4,487.65. (C-50-09-042-G-00)

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Treasurer**

**19. TREASURER'S STATEMENT OF COLLECTIONS AND INVESTMENT SUMMARY REPORT**

Pursuant to A.R.S. §11-501, receive the Treasurer's Statement of Collections and Investment Summary report for September 2008, as on file in the Clerk of the Board's office and retained in accordance with Arizona State Library Archives and Public Records (ASLAPR) approved retention schedule. (ADM4006) (C-43-09-010-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **TRIAL COURTS**

### **Justice Courts**

#### **20. EXCEPTION TO TECHNOLOGY FINANCE PROGRAM FOR PURCHASE OF JUSTICE COURTS COMPUTERS**

Approve an exception to the Technology Finance Program (TFP) to allow the Justice Courts to proceed with the purchase of computer equipment through a one-time expenditure from fund balance in the Justice Courts Special Revenue Fund (245). The estimated cost of the computer equipment is \$340,000. In addition, per A.R.S. 42-17106, transfer FY 2008-09 expenditure appropriation of \$340,000 from the Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line to Justice Courts (240) Justice Courts Special Revenue Fund (245) Non-Recurring (0001). Also, reduce the FY 2008-09 Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) revenue appropriation by \$340,000. Approval of this action will support Justice Courts department-wide replacement of obsolete computer equipment.

This authorization is required to complete the one-time purchase of the computer equipment from the Justice Courts Special Revenue Fund (245). This computer equipment will not be a part of the Technology Finance Program (TFP), with no automatic replacement from the General Fund (100) at the end of its useful life. At the end of their useful life, the new computers will be replaced through the TFP in the Justice Courts Special Revenue Fund (245). (C-24-09-004-M-00)

Brian Hushek, Deputy Budget Director, responded to questions from Board Members by explaining that this type of purchase is usually done over a three to five year period but the Justice Courts want to use a fund balance for a one-time purchase of this needed equipment.

Supervisor Stapley said he believed the County had moved to leasing such equipment to offset the rapid technology upgrades and asked why it was a good idea to purchase at this time.

Mr. Hushek said it was to use-up one-time-funding that is in the court's Special Revenue Fund versus utilizing ongoing General Fund dollars and OMB approved it because it would provide less of an impact on the General Fund.

Supervisor Stapley agreed this was good practice but still questioned if the funds should be "leveraged differently."

Supervisor Wilson said there was always a question of funds with the rapid advancements in computers and asked for the difference in outlay between the two methods. Mr. Hushek said he would work with the Office of Enterprise Technology and the Justice Courts to produce a report.

Chairman Kunasek asked if this project would be damaged if this item is continued until more information is available. Mr. Hushek replied this is for the new expansion court in the Southeast Valley, in leased space in the Gilbert Municipal Building, which is set to open January 1, 2009. He said they want to purchase this equipment as soon as possible so it can be installed and operational by that time.

Supervisor Stapley suggested approval of the exception to use these monies with the caveat that OMB will do research with the Justice Court administration to look at a lease program versus the outright purchase to see if it would be more sensible to use a portion of the money instead of using all of it.

Motion to approve subject to OMB working with Justice Court administration to compare leasing versus purchase of these items, but the exception would be approved; by: Supervisor Stapley, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **Superior Court Judges and Commissioners**

### **21. FILL THE GAP PLAN**

In accordance with the provisions of A.R.S. 12-102.02(C), authorize the Chairman of the Board to endorse and sign the FILL THE GAP plan submitted by the Presiding Judge of the Superior Court. In accordance with the statute, the plan has already been endorsed by the Presiding Judge, the Clerk of the Superior Court, and the Presiding Justice of the Peace in Maricopa County.

Pursuant to Arizona Revised Statutes 12-102.02 the presiding judge, in coordination with the Chairman of the Board of Supervisors, the Clerk of the Superior Court, and the Presiding Justice of the Peace in Maricopa County are to submit a plan to the supreme court that details how the funding provided from the State Aid to the Courts fund for the Maricopa County FILL THE GAP plan will assist in improving criminal case processing. (C-80-09-002-2-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Wilson  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **COUNTY MANAGER**

### **Communications**

### **22. EVENTS CENTER SETTLEMENT AGREEMENT**

Approve the Settlement Agreement between Maricopa County and Nederlander-Downtown concerning operation of the Maricopa County Events Center as was discussed in Executive Session on September 15, 2008. (C-71-09-001-S-00)

Supervisor Stapley asked Supervisor Wilson for an update on this item. Mr. Wilson replied this is an attempt to avoid litigation between the County and the Nederlanders at the Events Center.

Motion to approve by: Supervisor Wilson, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **DEPUTY COUNTY MANAGER**

### **Management and Budget**

#### **23. EXECUTIVE COMPENSATION PACKAGE**

Due to an oversight in December 2007, authorize an administrative action to approve an Executive Compensation Package (ECP) for David R. Smith, Maricopa County Manager, to give him a one-time lump sum contribution of \$20,500 to an existing 457 Deferred Compensation or other authorized plan and a one-time lump sum contribution of \$3,500 to an existing 401(A) program effective July 2, 2007. (This item discussed in Executive Session on December 3, 2007.) (C-49-09-030-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

#### **24. ADMINISTRATIVE CORRECTIONS TO AGENDA ITEMS**

Approve technical corrections to clarify the Function associated with the appropriated budget adjustments previously approved by the Board of Supervisors in the listed agenda items. This correction does not change the direction or intent of the previous actions. For the following items, the affected Function in the appropriated budget adjustment is Operating (0000): (C-19-09-001-G-00) (C-19-09-002-G-00) (C-19-09-003-G-00) (C-19-09-004-G-00) (C-19-09-005-G-00) (C-19-09-006-G-00) (C-19-09-007-G-00) (C-19-09-008-G-00) (C-19-09-009-G-00) (C-19-09-010-G-00) (C-19-09-011-G-00) (C-20-09-001-G-00) (C-20-09-002-G-00) (C-22-09-094-G-00) (C-22-09-095-G-00) (C-50-07-500-M-02) (C-50-07-560-3-01) (C-50-08-005-2-01) (C-50-09-003-M-00) (C-50-09-004-G-00) (C-79-09-003-3-00) (C-79-09-004-3-00) (C-86-03-159-2-09) (C-86-05-024-2-06) (C-86-08-001-3-05) (C-86-08-025-2-02) (C-86-08-027-2-01) (C-86-08-085-2-00) (C-86-09-009-G-00) (C-86-09-015-G-00)

For the following items, the affected Function in the appropriated budget adjustment is Non-Recurring Non-Project (0001): (C-20-08-054-3-00) (C-20-08-060-3-00) (C-20-08-061-3-00) (C-20-08-062-3-00) (C-20-08-063-3-00) (C-20-08-065-3-00) (C-20-08-066-3-00) (C-20-08-067-3-00) (C-20-08-070-3-00) (C-20-08-071-3-00) (C-20-08-072-3-00) (C-20-09-003-G-00) (C-20-08-004-G-00) (C-20-09-005-G-00) (C-20-09-006-G-00) (C-20-09-008-G-00) (C-20-09-009-G-00) (C-30-08-032-3-00) (C-30-08-033-3-00) (C-42-08-022-0-00) (C-42-09-002-D-00) (C-42-08-023-D-00) (C-49-09-002-D-00) (C-64-08-209-M-00) (C-64-08-228-3-01) (C-67-08-003-M-00) (C-67-08-004-M-00) (C-68-09-001-3-00) (C-91-09-014-G-00)

Starting in FY 2008-09, all budgets are appropriated by Function, as well as by Department and Fund. Previously, the Function had only been applied to project budget appropriations, but is now also used to distinguish the operating vs. non-recurring portions of appropriated budgets. This change allows for improved review and monitoring of structural balance throughout the budget (operating revenues vs. operating expenditures. The agenda items listed above were submitted early in the fiscal year, and the necessary Function was omitted from the motion in each case. Today's action corrects the previously approved agenda items. (C-49-09-031-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Public Health**

**25. AMENDMENT TO IGA WITH ADHS FOR STD SERVICES**

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) No. HG854321 between Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health to provide STD Services. Amendment No. 1 extends the contract through December 31, 2009. This amendment also makes administrative changes to the SPECIAL TERMS AND CONDITIONS. (C-86-08-064-2-02)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**26. AMENDMENT TO IGA WITH TOLLESON ELEMENTARY SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) with the Tolleson Elementary School District to extend the term of the IGA from May 2, 2008 through May 1, 2009 and increase the contract by \$3,000 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$11,000 for the term December 1, 2006 through May 1, 2009. (C-86-07-491-2-02)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**27. AMENDMENT TO IGA WITH PEORIA UNIFIED SCHOOL DISTRICT FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve Amendment No. 3 to Intergovernmental Agreement (IGA) with the Peoria Unified School District to extend the term of the IGA from May 2, 2008 through May 1, 2009 and increase the contract by \$18,000 to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment brings the IGA to a new not-to-exceed aggregate amount of \$124,000 for the term July 1, 2006 through May 1, 2009. (C-86-07-450-2-03)

Supervisor Wilson asked about the effectiveness of this program and if the numbers are followed up to prove effectiveness.

David Smith said the impact of the various kinds of advertising done around the Valley is tracked.

Chairman Kunasek referenced a smokeless tobacco ad he had been involved with several years ago and said he had received comments from parents and school kids that made him feel it had been effective. He added, "I quit after 16 years of chewing tobacco, so, if I can quit anyone can."

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**28. AGREEMENT WITH CITY OF PHOENIX FOR USE OF FACILITIES**

Approve the Agreement for the Use of Facilities between City of Phoenix and Maricopa County through its Department of Public Health's Emergency Management Program (PHEM) to collaborate with the City of Phoenix for the use of Sky Harbor Airport in the event of a public health emergency. The term of this non- financial agreement shall begin upon Board approval and shall be in effect until terminated by either party with a 30 day written notice. (C-86-09-033-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**29. AMENDMENT TO IGA WITH ARIZONA DEPARTMENT OF HEALTH SERVICES FOR PRENATAL BLOCK GRANT SERVICES**

Approve Amendment No. 1 to the Intergovernmental Agreement (IGA) No. HG861386 between Arizona Department of Health Services (ADHS) and Maricopa County through its Department of Public Health to provide Prenatal Block Grant services. Amendment No. 1 reduces the budget by \$27,202 from \$272,024 to \$244,822 for budget period July 1, 2008 through June 30, 2009. This amendment also makes administrative changes to the SPECIAL TERMS AND CONDITIONS. The Department of Public Health's indirect rate for FY 2008-09 is 18%. Indirect costs are estimated at \$37,346 and are fully recoverable. Also, approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532, Function 0000) associated with the aforementioned grant in an amount of (\$27,202) for FY 2008-09. The FY2008-09 adopted budget included an estimated amount for this grant in the amount of \$272,024. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

Funding for this contract is provided by Arizona Department of Health Services and does not increase the County general fund. (C-86-08-066-2-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**30. GRANT AWARD FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES HEALTH RESOURCES AND SERVICES ADMINISTRATION FOR HEALTHCARE FOR THE HOMELESS PROGRAM**

Approve the Notice of Grant Award (H80CS00044) from the U.S. Department of Health and Human Services Health Resources and Services Administration (HRSA) to Maricopa County through its Department of Public Health, Healthcare for the Homeless (HCH) Program to provide healthcare for homeless individuals. This grant award provides funds in the amount of \$1,323,711 for budget period November 1, 2008 through October 31, 2009. The amount of \$1,323,711 includes estimated program income in the amount of \$134,700. The Department of Public Health's indirect rate for FY 2008-09 is 18%. This grant allows for indirect reimbursement at a rate of 15.397%. Total indirect expenses are estimated to be \$ 196,122 of which \$ 167,761 is recoverable and \$28,361 is not recoverable. Sub-recipient expenses in the amount of \$66,381 are not subject to indirect charges.

Also, approve a revenue and expenditure appropriation adjustment to the Public Health (860) Grant Fund (532) Operating Budget (0000) associated with the aforementioned grant in an amount of (\$428,641) for FY2008-09. The FY2008-09 adopted budget included an estimated amount for this grant of \$1,752,352. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

The adopted budgeted amount for this grant for FY 2008-09 is \$1,752,352. This grant award represents 50% of the federal recommended support in the amount of \$2,378,023, subject to funding availability and satisfactory progress of the project. Funding for this contract is provided by a grant from HRSA, and will not affect the County general fund. (C-86-02-073-2-17)

Supervisor Brock commented that this Grant from the Department of Health to the County will provide \$1,300,000 to assist in providing medical care to the homeless. He felt the timing was very apropos since flu season is imminent.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**31. IGA WITH STATE OF ARIZONA FOR THE SAFE ROUTES TO SCHOOL PROGRAM**

Approve the Intergovernmental Agreement (IGA) (JPA 09-002M) between State of Arizona by and through its Department of Transportation, Multimodal Planning Division and Maricopa County by and through its Department of Public Health for the Safe Routes to School Program. This IGA provides funding in the amount of \$43,958 and shall become effective upon filing with the Secretary of State and shall remain in force and effect for 24 months from the date of execution. Although the grantor is allowing the budget spread up to 24 months, the program's intention is to spend the entire funding in FY 2008-09. Also, approve revenue and expenditure appropriation adjustments to the Department of Public Health (860) Grant Fund (532) Operating Budget (0000) associated with the aforementioned grant in an amount of \$43,958 for FY2008-09. The appropriations adjustment is necessary because these funds were not included in the FY 2008-09 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. The Department of Public Health's indirect rate for FY 2008-09 is 18%. The grant allows for full indirect; therefore, indirect costs are estimated at \$6,705 and are fully recoverable.

Funds for this grant are from Arizona Department of Transportation and do not affect the County general fund. (C-86-09-035-3-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**~ Chairman Kunasek turned the gavel over to Vice Chairman Wilson and left the dais ~**

## **ASSISTANT COUNTY MANAGER - COMMUNITY COLLABORATION**

### **Animal Care & Control Services**

#### **32. RESOLUTION FOR VOLUNTEER PROGRAM**

Approve by Resolution the Maricopa County Animal Care and Control (MCACC) Volunteer Program. Also, approve extending Self Insured Trust worker's compensation insurance coverage for the volunteers in the Maricopa County Animal Care and Control (MCACC) Volunteer Program to be effective upon Board approval. The County Self Insured Trust Declaration (section I.G.7), defines an "employee" covered by the Trust to include volunteers under the direction and control of County Employees if the program is authorized by Board of Supervisor resolution. (C-79-09-038-7-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

#### **33. DONATIONS**

Accept the monetary donations from Early Warning Services, LLC of Scottsdale, AZ in the amount of \$500, PETCO Foundation of San Diego, CA in the amount of \$913, and from Jeffery Varrica of Mesa, AZ in the amount of \$300 for the care of the animals. Donations total \$1,713. Donation revenue funds are deposited into Fund (573) as they are received. Donation funds are not local revenues for the purpose of the constitutional expenditure limitations, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C-79-09-039-D-00)

Supervisor Brock thanked those who had donated money for the homeless animals.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

### **Community Development**

#### **34. RESOLUTION RELATED TO INTERGOVERNMENTAL AGREEMENT WITH WESTERN MARICOPA ENTERPRISE ZONE**

Approve a Resolution related to the previously approved Intergovernmental Agreement between Western Maricopa Enterprise Zone and Maricopa County through the Community Development Department, for the purpose of continuing the Western Maricopa Enterprise Zone (WMEZ). The Intergovernmental Agreement is non-financial and is effective from the date of execution until five years after date of execution. The Western Maricopa Enterprise Zone (WMEZ) was established per A.R.S. Section 41-1522 to improve economically-depressed sections of municipalities and rural areas through the development of job creating land uses and the inducement of capital investment.



Members of the WMEZ include the Cities/Towns of Avondale, Buckeye, El Mirage, Gila Bend, Glendale, Goodyear, Guadalupe, Peoria, Phoenix, Surprise, Tolleson, Wickenburg, Youngtown, each a municipal corporation, the Gila River Indian Community and Maricopa County.

Due to an administrative oversight, the Resolution was not included in the original approval of the Intergovernmental Agreement. The purpose of this agenda item is to adopt a Resolution supporting the enterprise zone renewal and approval of the application amendment required by the Arizona Department of Commerce in order to renew the enterprise zone. The Intergovernmental Agreement was originally approved by the Board of Supervisors on October 15, 2008, under C-20-09-026-3-00. (C-20-09-033-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

#### **Medical Examiner**

**35. IGA WITH MARICOPA COUNTY SPECIAL HEALTH CARE DISTRICT DBA MARICOPA INTEGRATED HEALTH SYSTEM (MIHS) FOR LABORATORY, EMPLOYEE HEALTH AND LAUNDRY SERVICES**

Approve an Intergovernmental Agreement (IGA) between Maricopa County Special Health Care District d.b.a. Maricopa Integrated Health System (MIHS) and Maricopa County through the Office of Medical Examiner, in the not-to-exceed amount of \$30,000. The purpose of this Intergovernmental Agreement is to establish guidelines for the provision of services to OME by DISTRICT including, but not limited to, services provided by the Maricopa Medical Center ("MMC"), and for the payment by County to DISTRICT for such services. This Intergovernmental Agreement is effective from July 1, 2008 until June 30, 2009.

MIHS is currently providing three services to the Office of the Medical Examiner. Specific toxicology testing that is not completed "in-house", laundry service for the autopsy/exam linens and employee health services which includes pre-placement physicals, medical job fitness assessments, medical and preventive care and on-site TB testing. (C-29-09-003-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

### **CHIEF FINANCIAL OFFICER**

#### **Finance**

**36. FUND TRANSFERS; WARRANTS**

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**37. LICENSE AGREEMENT WITH THE SILVER SPOON CAFÉ, LLC FOR FOOD AND BEVERAGE STATION**

Approve License Agreement No. P50122 with The Silver Spoon Café, LLC allowing the placement of a food and beverage station in the second floor area of the Maricopa County Department of Transportation Building located at 2901 W. Durango Street, Phoenix, Arizona. The term of the license shall be for one year. Licensee may have the option to renew the term of this license one time for a period of one year. The License shall be revocable and may be canceled by Licensor or Licensee upon giving a 30-day written notice of revocation. The Licensee shall pay a one-time license fee of \$10.00 as adequate consideration for entering into this agreement. Licensee agrees to install and maintain, at Licensee's sole cost and expense, all necessary trade fixtures pertaining to this business operation and shall also obtain all applicable permits and operating licenses as required. (C-18-09-031-L-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**Materials Management**

**38. SOLICITATION SERIALS**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts.

**a. 08087-S, LAW ENFORCEMENT PSYCHOLOGICAL EVALUATION SERVICES - MCSO**

Recommendation for award of three year price agreement which provides law enforcement psychological evaluation services to/for MCSO for the purpose of pre-employment evaluations, fitness for duty evaluations and other psychological evaluations as determined appropriate by MCSO. 08087-S, Law Enforcement Psychological Evaluation Services - MCSO (\$1,405,000 estimate/three years with three one-year renewal options until November 30, 2011) Awardees: Stephen L. Carson, Ph.D Glenn Clouse, Psy.D Michael Cofield, Ph.D Wayne R. General, Ph.D M&M Public Safety Psychology Services, PLLC (C-73-09-029-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**b. 08103-C, TRAFFIC SIGN POSTS**

Price agreement for the purchase of traffic sign posts. 08103-C, Traffic Sign Posts (\$360,000 estimate/three years with three one-year renewal options until November 30, 2011) Awardees: Zumar Industries (C-73-09-028-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**c. 04144-S, COURT REPORTING & TRANSCRIPTION SERVICES**

Approve the Renewal 04144-S, Court Reporting & Transcription Services (\$551,600 estimate/two years until December 31, 2010). Recommendation for two year renewal of contract which provides court reporting and transcription services. Awardees: A/V Tronics Inc. Capitol Captioning LLC Copper State Reporting Service Griffin & Associates Quick Response Transcription Services (C-73-09-031-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**d. 08060-ITN, HOSTING AND SUPPORT SERVICES CGI/AMS ADVANTAGE GENERAL LEDGER SYSTEM**

Approve the award 08060-ITN, Hosting And Support Services CGI/AMS Advantage General Ledger System (\$4,000,000 estimate/five years with five one-year renewal options until November 30, 2013). Contract for hosting services for the County's general ledger software (CGI/AMS ADVANTAGE). The hosting company (CGI) will support all aspects of the County's System and has a data center located in the Phoenix metropolitan area. The components of these services include hardware, operating system, utilities, other 3rd party support packages, management tools, databases, applications, and reporting/query tools. The new \$4,000,000 contract value is \$2,000,000 more than previous contract; however this contract includes the software maintenance which was under a separate contract for \$700,000 and product support which not included in previous contract. Awardee: CGI (C-73-09-030-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**e. 05055-RFP, INMATE EMPLOYMENT SKILLS BUILDING EDUCATIONAL SERVICES/WOW – MCSO**

Recommendation to increase contract value from \$900,000 to \$1,040,000. 05055-RFP, Inmate Employment Skills Building Educational Services/WOW – MCSO (\$140,000). This \$140,000 increase is requested by MCSO and is a result of increased inmate population and mandated inmate service requirements. This contract was initially approved by the Materials Management Director on July 21, 2005, in the amount of \$67,000 and was subsequently increased by the Board by \$833,000 on November 16, 2005, to \$900,000. This increased has been reviewed/pre-approved by OMB. Contract expiration is August 31, 2009. Awardee(s): Concepts For Change, Inc. Sage Counseling, Inc (C-73-09-032-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**f. 08073-S, AUTO BODY REPAIR**

Award price agreement for a multi vendor contract for vehicle collision and accident repairs to County owned vehicles. 08073-S, Auto Body Repair - (\$2,600,000 estimate/three years with three one-year renewal option until November 30, 2011). Awardees: Ace Auto Collision & Paint Services Inc. Auto Safety House Custom Auto Body Five Star Ford Freightliner, Sterling, Western Star of Arizona Miracle Auto Painting & Body Repair (C-73-09-033-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**g. 08052-C, HVAC FILTERS**

Approve the award of a three year price agreement for heating, ventilation and air conditioning filters for use in County facilities. 08052-C, HVAC Filters (\$350,000 estimate/three years with three one-year renewal option until November 30, 2011) Awardees: Air Filter Products Southland Filtration (C-73-09-027-3-00)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Stapley, Brock, Wilcox, Wilson  
Absent: Kunasek

**~ Chairman Kunasek returned to the dais and retrieved the gavel ~**

**Parks and Recreation**

**39. APS UTILITY EASEMENT - ESTRELLA MOUNTAIN REGIONAL PARK**

Approve and authorize the granting of a Utility Easement, without a public auction pursuant to A.R.S. 11-251 (9), to Arizona Public Services Company (APS), its successors and assigns, in consideration of \$1.00, to construct, operate and maintain overhead and underground electric lines and appurtenant facilities to provide electrical service at Estrella Mountain Regional Park, and authorize the Chairman to execute the necessary Utility Easement. This item had approval of the Parks Advisory Commission on October 21, 2008 and was endorsed by the Facilities Review Committee. This item requires the unanimous consent of the board. (C-30-09-012-8-00)

Motion to approve, on a roll call vote, by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**40. ARIZONA STATE LAND DEPARTMENT ESTIMATED ADVERTISING FOR A PUBLIC AUCTION AND BID ON AND PURCHASE AN ASLD PERPETUAL RIGHT OF WAY EASEMENT**

Authorize the Maricopa County Parks & Recreation Department to spend \$1,250 for the Arizona State Land Department (ASLD) estimated advertising for public auction, and authorize the Maricopa County Parks & Recreation Department representative to be present to bid on and purchase on behalf of the County an ASLD perpetual right of way easement. The area over which the easement is sought is known as Segment 14 of the Maricopa Trail, which was application amended alignment, ASLD#16-108106, and is located within existing State Land issued right-of-way number 14-102063.

Alignment ASLD#16-108106 is approximately a nine mile corridor (10.51 acres) to be used for the purpose of building a non-vehicular public trail. The estimated value of the easement has been established at a combined appraisal value of \$330,888. In addition, ASLD imposes a 3% selling and administrative fee of \$9,927. The appraisal value plus the administrative fee result in a combined bid total of \$340,815. The Parks and Recreation Department seeks authority to bid up to an expenditure total not-to-exceed \$342,065. Funding for this expenditure is budgeted in the FY2008-09 General Fund County Improvement Fund (445). (C-30-03-028-B-02)

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Wilson  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES**

**Air Quality Department**

**41. EXECUTIVE COMPENSATION PACKAGE**

Approve an Executive Compensation Package (ECP) for Lawrence Odle, an unclassified Director in the Air Quality Department, authorizing a deposit of 80 hours of PTO and 80 hours of FML to his leave balance(s) and awarding a Schedule #3 Leave Accrual Rate effective October 22, 2008. (C-85-09-007-6-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**42. AMENDMENT TO AGREEMENT WITH MARICOPA ASSOCIATION OF GOVERNMENTS FOR TRIP REDUCTION PROGRAM**

Approve Amendment No. 4 to Maricopa Association of Governments (MAG) Agreement 262 as Attachment Two between MAG and Maricopa County through the Air Quality Department to provide funding for the Maricopa County Trip Reduction Program (TRP) in the not-to-exceed amount of \$910,000. Amendment No. 4 is funded by a grant from MAG. The purpose of this amendment is to approve a revised scope of service and budget and to extend the contract period. This amendment is effective from October 1, 2008 to September 30, 2009. All other terms and conditions of the contract remain in full force and effect. (C-85-07-008-3-02)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**43. IGA WITH RPTA FOR TRAVEL REDUCTION PROGRAM**

Approve an Intergovernmental Agreement between Regional Public Transport Authority (RPTA) and Maricopa County through the Air Quality Department, in the not-to-exceed amount of \$400,000. This Intergovernmental Agreement is funded by a grant from Maricopa Association of Governments, (C-85-06-028-3-02). The purpose of this Intergovernmental Agreement is to provide for professional services to the Maricopa County Regional Travel Reduction Program (TRP). This Intergovernmental Agreement is effective from October 1, 2008 until September 30, 2009. (C-85-09-006-3-00)

Supervisor Brock said this is IGA supports the County's mandated Trip Reduction Program, which is critical in helping to reduce roadway congestion and improve air quality.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**44. CONTRACT EXTENSION WITH KACHINA AUTOMOTIVE FOR THE VVR&R PROGRAM**

Approve Amendment No. 3 to a Contract between Kachina Automotive Equipment, Inc. and Maricopa County through the Air Quality Department to extend the end date of the contract from December 31, 2008 to June 30, 2009, and to authorize an additional \$287,500 for a new FY 2008-09 not-to-exceed amount of \$575,000. This extension will continue the Voluntary Vehicle Repair and Retrofit Program (VVR&R) until a new contract can be put into place. This amendment is effective from January 1, 2009 to June 30, 2009. All other terms and conditions of the Contract remain in full force and effect. (C-85-07-001-1-03)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Emergency Management**

**45. TRANSFER EXPENDITURE AUTHORITY FOR SIREN REMOVAL**

Pursuant to A.R.S. 42-17106(b), transfer expenditure authority of \$28,800 from the Non-Departmental (470) Non-Departmental Grant Fund (249) Non-Recurring (0001) "Potential Fee Increases" lines to the Emergency Management (150) Emergency Management Grant Fund (215) Non-Recurring (0001). Also decrease the revenue appropriation in Non-Departmental (470) Non-Departmental Grants Fund (249) Non-Recurring (0001) Potential Expenditures from Fund Balance line by \$28,800. This adjustment will allow the Department of Emergency Management to utilize fund balance to pay for the removal of dilapidated civil defenses sirens and ancillary equipment. The adjustment will result in a countywide net impact of zero. (C-15-09-011-G-00)

Chairman Kunasek asked Warren Leek to explain the siren removal involved with this item. Warren Leek, Director of Emergency Management, replied that there are many old Civil Defense sirens - leftovers from the cold war era - that had been used in various locations throughout the County that are still in place. He explained that the siren network had never expanded as the metropolitan areas expanded. These sirens have been inoperative for a number of years and now have to be considered a safety hazard and need to be removed. He said several historical societies are interested in them and some will be given away to groups like the Pima Air Museum. These sirens will not be replaced.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **ASSISTANT COUNTY MANAGER - PUBLIC WORKS**

### **Facilities Management**

#### **46. AMENDMENT TO 5-YR CIP PROGRAM - CARRY-OVER TO ADD MORRISTOWN, CAVE CREEK & HASSAYAMPA TRANSFER STATIONS**

Pursuant to A.R.S. 42-17106(B), approve the following amendments to the FY 2008-09 Public Works Five-Year Capital Improvement Program in the Non-Departmental (470) Intergovernmental Capital Projects Fund (422) Fund:

- a) Add a new project entitled "Hassayampa Transfer Station (HTTS)."
- b) Add a new project entitled "Morristown Transfer Station (MTTS)."
- c) Add a new project entitled "Cave Creek Transfer Station (CCTS)."
- d) **Decrease** FY 2008-09 project and project budget for the Rainbow Valley Transfer Station (RVTS) project by \$720,000 from \$975,000 to \$255,000.
- e) **Decrease** FY 2008-09 project and project budget for the New River Transfer Station (NRTS) project by \$295,000 from \$975,000 to \$680,000.
- f) **Increase** FY 2008-09 project and project budget for the Morristown Transfer Station (MTTS) project by \$10,000 from \$0 to \$10,000.
- g) **Increase** FY 2008-09 project and project budget for the Hassayampa Transfer Station (HTTS) project by \$10,000 from \$0 to \$10,000.
- h) **Increase** FY 2008-09 project and project budget for the Cave Creek Transfer Station (CCTS) project by \$1,250,000 from \$0 to \$1,250,000. Pursuant to ARS 42-17106(B), approve the following:
  - 1. Transfer Expenditure authority from Public Works (910) Waste Tire Fund (290) Recurring (0000) to Public Works (910) Solid Waste Fund (580) Recurring (0000) in the amount of \$255,000.
  - 2. A Fund Transfer from Public Works (910) Solid Waste Tire Fund (580) Recurring (0000) to Fund Intergovernmental Capital Projects Fund (422) Cave Creek Transfer Station (CCTS) in the amount of \$255,000. The requested action is necessary because the projects were scheduled to be completed by June 30, 2008, and were not, so funding for the Morristown and Hassayampa transfer stations needs to be carried over into FY 2008-09. The Cave Creek Transfer Station was inadvertently left out of the FY 2008-09 budget.

Approval of this item will adjust the FY 2008-09 Intergovernmental Capital Projects Fund budget by reallocating expenditure authority from the Rainbow Valley Transfer Station to the Morristown and Hassayampa Transfer Stations and increase Fund (422) in the amount of \$255,000 in order to complete the Cave Creek Transfer Station in FY 2008-09. (C-70-09-010-2-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**47. REMOVAL FROM 5YR CIP AND CANCELLATION OF PROCUREMENT FOR ARCHITECTURAL SERVICES RE: REGIONAL DEVELOPMENT SERVICES AGENCY OFFICE BLDG**

Approve cancellation of the Regional Development Services Agency Office Building (Project No. 3324-09-414). Also, authorize removal of the following to the FY2008-09 Five-Year Capital Improvement Program: (1) **Decrease** the Financing Series 2009 Fund (442) Revenue and Expenditure budget in the amount of \$75,000,000 to remove the project "Maricopa County Regional Development Services Agency Office Building" (Function Class - RDSA). The yearly expense was estimated to be: (Year 1 \$2,000,000, Year 2 \$30,000,000, Year 3 \$43,000,000). (2) Approve the cancellation of the procurement for architectural services for the project. The facility would have been located in District 5.

This project and its funding were approved by the Board of Supervisors on September 17, 2008. Due to a decrease in revenues of the departments designated as occupants for the facility, it is now reasonable and prudent to cancel the project at this time. This item was heard in Executive Session on November 6, 2008. (C-70-09-011-5-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**48. CANCELLATION OF PROCUREMENT FOR CONSTRUCTION MANAGER AT RISK FOR REGIONAL DEVELOPMENT SERVICES AGENCY OFFICE BUILDING**

Approve cancellation of the procurement for the Construction Manager at Risk for the Regional Development Services Agency Office Building (Project No. 3324-09-414). This project would have been located in District 5.

This project and its funding were approved by the Board of Supervisors on September 17, 2008. Due to a decrease in revenues of the departments designated as occupants for the facility, it is now reasonable and prudent to cancel the project at this time. This item was heard in Executive Session on November 6, 2008. (C-70-09-012-5-01)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Public Works**

**49. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. The list is on file in the Clerk of the Board's Office. (C-06-09-193-7-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson



**50. ADMINISTRATIVE CORRECTION FOR AWARDED MCDOT CONTRACT FOR ELLSWORTH ROAD: SUPERSTITION DRIVE TO GUADALUPE ROAD**

Approve an Administrative Correction to the action taken on August 6, 2008 (C-91-08-003-5) to approve the solicitation of bids for Ellsworth Road: Germann Road to Baseline Road, MCDOT Project County Arterials (ARTS), Job No. T068; and approve the award to the lowest responsive bidder. This action corrects the name of the project for Job No. T068, Contract 2008-025, to The Implementation of Erosion Control Measures for Ellsworth Road: Superstition Drive to Guadalupe Road. (C-91-08-003-5-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**51. IGA WITH SURPRISE FOR CONSTRUCTION OF INTELLIGENT TRANSPORTATION SYSTEM (ITS) FOR BELL ROAD FROM LOOP 303 TO GRAND AVENUE**

Approve the Intergovernmental Agreement (IGA) between Maricopa County (County), through the Maricopa Department of Transportation, (MCDOT) and the City of Surprise (Surprise) for the construction of an Intelligent Transportation System (ITS) for Bell Road from Loop 303 to Grand Avenue (Project). The estimated total cost of this Project is \$918,900 with federal funds of \$866,523 (94.3%) and a local match of \$52,377 (5.7%). Funds are available in the Public Works (910) Transportation Capital Fund (234) Traffic Improvement Project (TIMP), Job No. T154. This IGA addresses the construction of ITS improvements only and shall become effective as of the date it is approved by the Board of Supervisors and shall be filed with the Maricopa County Recorder. Supervisory District No. 4 (C-91-09-061-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**52. ANNEXATION (RIGHT OF WAY) BY THE TOWN OF BUCKEYE**

Pursuant to A.R.S. §9-471(N), approve the annexation by the Town of Buckeye of County right-of-way within: Tuthill Road and Roosevelt Street, in accordance with Ordinance No. 62-08. (Supervisory District No. 4) (C-91-09-060-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**53. ANNEXATION (RIGHT OF WAY) BY THE TOWN OF BUCKEYE**

Pursuant to A.R.S. § 9-471(N), approve the annexation by the Town of Buckeye of County right-of-way within: A portion of Durango Street and 247th Avenue, in accordance with Ordinance No. 63-08. (Supervisory District 4) (C-91-09-068-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**54. ANNEXATION (RIGHT OF WAY) BY THE TOWN OF BUCKEYE**

Pursuant to A.R.S. §9-471(N), approve the annexation by the Town of Buckeye of County right-of-way within: Van Buren Street and Dean Road, in accordance with Ordinance No. 64-08. (Supervisory District No. 4) (C-91-09-067-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**55. ANNEXATION (RIGHT OF WAY) BY THE CITY OF EL MIRAGE**

Pursuant to A.R.S. §9-471(N), approve the annexation by the City of El Mirage of County right-of-way within: Dysart Road and Olive Avenue, Dysart Road from Peoria Avenue to Varney Street and 129th Avenue from Peoria Avenue to Varney Street, in accordance with Ordinance No. 008-09-15. (Supervisory District No. 4) (C-91-09-066-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**56. RESCIND EXISTING TRAFFIC CONTROL**

Approve and rescind existing traffic control (Designated School Crossing) on unincorporated right-of-way at the following location: A DESIGNATED SCHOOL CROSSING ON 107th Avenue 10 feet north of Cocopah Street for Underdown Middle School. Supervisory District No. 5. (C-91-09-072-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**57. TRADE-IN OF A USED CATERPILLAR MOTOR GRADER**

Approve the trade-in of one used Caterpillar, 140H Motor Grader, County Asset # M0300034 (2003 ser. APM00511), on the purchase of one new Caterpillar 140M Motor Grader from Empire Machinery on IGA #07147. The Intergovernmental Agreement (IGA) was established by Materials Management Department with Coconino County on September 18, 2007 for the purpose of purchasing motor graders for Maricopa County Department of Transportation (MCDOT). The purchase price of the new 140M Motor Grader is \$276,872.27. With the trade-in credit / residual value of \$115,000, the net cost to the County is \$161,872.27.

Approval to trade-in the Caterpillar 140H Motor Grader #34 that will effectively offset the cost of the new 140M Caterpillar Motor Grader. Materials Management Department established a cooperative purchase IGA with Coconino County for the purpose of purchasing the new Motor Grader. The Life-Cycle for the one new motor grader will be three years or 7000 hours and will be used by MCDOT during that time for the construction and roadway maintenance operations. The total price for the new Motor Grader, less the trade-in, is \$161,872.27. This purchase is budgeted in the FY2008-09 budget. Supervisory District No(s): All (C-91-09-059-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**58. GRANT FROM MARICOPA ASSOCIATION OF GOVERNMENTS FOR TWO STREET SWEEPERS AND ADDITION TO FLEET**

Authorize the acceptance of grant funds from the Maricopa Association of Governments FY 2008 Congestion Mitigation and Air Quality Improvement (CMAQ) in the amount of \$330,050. Funding is for the purchase of two PM-10 certified street sweepers in the amount of \$175,000 each. Maricopa County's Department of Transportation has agreed to provide a 5.7 percent cash match (\$9,975) for each street sweeper. Approve the revenue and expenditure appropriation increase in the amount of \$330,050 in FY 2008-09 to the Public Works (910) Transportation Grant Fund (223) Non-Recurring (0001).

Approve the addition of two street sweepers to the County fleet for the Transportation Department. The street sweepers will be used by Transportation Operations to sweep and maintain County roadways for the improvement of air quality and the overall safety of the traveling public. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore, expenditure of the funds is not prohibited by the budget law. The approval of this action requested does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105.

On June 25, 2008 the MAG Regional Council approved an additional \$1,959,471 in FY 2008 Congestion Mitigation and Air Quality Improvement (CMAQ) funding for twelve remaining projects from the prioritized list of proposed PM -10 certified street sweeper projects for FY 2008 CMAQ funding. On September 10, 2008 Maricopa County's Department of Transportation was informed that two PM-10 certified street sweeper projects proposed by Maricopa County had been authorized for FY 2008 CMAQ funding in the amount of \$165,025 each. In each project proposal, Maricopa County must provide a 5.7 percent cash match. Thus for each of the two sweepers, the total estimated purchase price of the sweeper is \$175,000, to be paid with the \$165,025 in reimbursable federal-aid and \$9,975 in local (HURF) match funding. On September 10, 2008, MAG was notified by the Arizona Department of Transportation (ADOT) that the Federal FY 2008 Interim Year End Closeout street sweeper projects could proceed. The County will follow the approved guidelines for street sweeper eligibility and requirements for the procurement of the equipment plus follow the project record keeping and reimbursement procedures. MAG will distribute the CMAQ funding on a reimbursement basis. Following the submission of an itemized invoice to MAG, Maricopa County will be reimbursed for an amount not to exceed \$165,025 for each sweeper. The Department's indirect cost rate of 15.8% is not recoverable. These funds are to be expended on capital equipment only; therefore, indirect costs cannot be recovered. Supervisorial Districts 1, 2, 3, 4 & 5 (C-91-09-062-M-00)

Supervisor Brock said this grant from the Maricopa Association of Governments (MAG) is for the purchase of some new, high-tech street sweepers that will help to clean the air.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**59. SETTLEMENT OF CLAIM BY TITAN POWER INC.**

Approve a settlement of the claim by Titan Power Inc. in the amount of \$9,899.62. This action will settle all claims between the parties for work authorized by a work order request to replace 60 Uninterruptible Power Supply (UPS) batteries in the Maricopa County Department of Transportation's Engine Room.

A request was made of Titan Power to replace 60 UPS batteries in the Department of Transportation's Engine Room. The company satisfactorily performed all services requested on the work order request. Before the company performed this work, they were on the State of Arizona contract EPS070086A. However, due to the misunderstanding of the Procurement Code of Maricopa County, the work was requested of an Arizona State contract vendor rather than the Maricopa County contract vendor. All work has been performed satisfactorily and no known problems exist. The settlement amount of \$9,899.62 is the actual value of the services performed and completed. Supervisorial Districts 1, 2, 3, 4, and 5. This item was discussed in Executive Session on November 6, 2008. (C-91-09-063-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**60. AMENDMENT TO IGA WITH ARIZONA STATE UNIVERSITY FOR PAVEMENT DESIGN RESEARCH**

Approve the 2nd Amendment to the Agreement between Maricopa County and Arizona State University to provide pavement design research towards the implementation of the Mechanistic-Empirical Pavement Design Guide. The County will participate in funding the research up to \$50,000 per County fiscal year from Operating Funds, and this is the final year that the original agreement can be renewed. The payment schedule is established that MCDOT will pay 50% (\$25,000) at the beginning of the assignment, 25% (\$12,500) when 75% of the work is completed, and the final 25% (\$12,500) at the end of the year.

The Maricopa County Department of Transportation and ASU wish to use their resources to perform pavement design research towards the implementation of the new Mechanistic-Empirical Pavement Design Guide (MEPDG) in the County roadway design practice. The MEPDG was developed under the National Cooperative Highway Research Program (NCHRP) and currently is being reviewed by the American Association of State Highway and Transportation Officials (AASHTO), NCHRP, and the Departments of Transportation (DOTs) around the Country. The current AASHTO pavement design guide dated 1993, is the base for the MCDOT Roadway Design Manual, which will be superseded by the MEPDG in the near future. This research project will provide the required parameters that represent the County specific conditions. Since ASU has been taking the lead in developing the flexible pavement portion of the MEPDG, ASU would be in the best position to assist the County in the implementation process. ASU will perform research according to the Research Work Plan submitted by ASU and the County will receive the final reports that include the results and recommendations. Supervisorial District 1,2, 3, 4, & 5 (C-64-07-161-2-02)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**61. NEW TRAFFIC CONTROLS**

Approve the new traffic controls on unincorporated right-of-way at the following locations:

- a. A NO STOPPING, STANDING, PARKING ANYTIME ZONE on 67th Avenue from Vineyard Road to Southern Avenue (East Side Only). Supervisory District No. 5. (C-91-09-077-M-00)

Supervisor Wilcox said she had recently attended a community meeting in Laveen and heard about a traffic issue she reported to MCDOT. She later heard from Laveen that she was regarded as a "hero" because MCDOT had fixed the issue so quickly. She thanked MCDOT for responding so quickly.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- b. A NO STOPPING, STANDING, PARKING ANYTIME ZONE on 129th Avenue from Ocotillo Road to Fleetwood Lane (West Side Only). Supervisory District No. 4. (C-91-09-073-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- c. A NO PARKING 7:30 AM TO 4:00 PM MONDAY THRU FRIDAY SCHOOL DAYS ONLY on Ericson Lane from Memorial Drive to Keller Drive (West Side Only).

A NO PARKING 7:30 AM TO 4:00 PM MONDAY THRU FRIDAY SCHOOL DAYS ONLY on Ericson Lane from Memorial Drive to Steinbeck Drive (East Side Only).

A NO PARKING 7:30 AM TO 4:00 PM MONDAY THRU FRIDAY SCHOOL DAYS ONLY on Keller Drive from Ericson Lane to Hudson Trail (North Side Only).

A NO PARKING 7:30 AM TO 4:00 PM MONDAY THRU FRIDAY SCHOOL DAYS ONLY on Hudson Trail from Memorial Drive to Keller Drive (East Side Only). Supervisory District No. 3. (C-91-09-074-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- d. A One Way Stop on Pineaire Drive at 99th Drive for Eastbound Traffic. Supervisory District No. 4. (C-91-09-075-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- e. All Traffic to stop before entering or crossing a THROUGH STREET within the prescribed limits of: Elliot Road from 100 feet east of 383rd Avenue to 100 feet west of 435th Avenue. Supervisory District No. 4. (C-91-09-071-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **62. TRAFFIC CONTROL CHANGES**

Approve a change in traffic controls on unincorporated right-of-way at the following locations:

- a. A FOUR WAY STOP (from a Two-Way north/south Stop) at Yuma Road and Airport Road (This partially rescinds the Through Street Resolution on Yuma Road dated January 7, 1985). Supervisory District No. 4. (C-91-09-076-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

- b. A 35 MPH SPEED LIMIT ZONE (from a 40 MPH SPEED LIMIT ZONE) on Olive Avenue from 3.85 miles West of Cotton Lane to 3.75 miles West of Cotton Lane (This rescinds the 40 MPH speed limit zone dated July 6, 1988).

A 40 MPH SPEED LIMIT ZONE (from a 50 MPH SPEED LIMIT ZONE) on Olive Avenue from 3.75 miles West of Cotton Lane to 3.50 miles West of Cotton Lane (This partially rescinds the 50 MPH speed limit zone dated March 18, 1975).

A 45 MPH SPEED LIMIT ZONE (from a 50 MPH SPEED LIMIT ZONE) on Olive Avenue from Perryville Road to El Mirage Road (This partially rescinds the 50 MPH speed limit zones dated March 18, 1975 and August 6, 1973). Supervisory District No. 4. (C-91-09-070-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **BOARD OF SUPERVISORS**

### **Clerk of the Board**

#### **63. APPOINTMENT TO THE INDUSTRIAL DEVELOPMENT AUTHORITY BOARD OF DIRECTORS**

Accept the resignation of David Yniquez and approve the appointment of David Adame to the Industrial Development Authority Board of Directors as nominated by Supervisorial District 5. Mr. Adame will fill the unexpired term effective as of the date of Board approval through December 17, 2009. (C-06-09-189-9-00)

Supervisor Wilcox commented on the excellent job David Yniquez had done on the IDA Board and thanked him for his service. She said his replacement, David Adame, is an expert in housing and real estate matters and would be an excellent replacement member on the board.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

## **SETTING OF HEARINGS**

~All hearings will be held at 9:00 am, 205 W. Jefferson, Phoenix, unless otherwise noted~

### **Planning and Development**

#### **64. ZONING CASES**

Schedule Planning and Development public hearings on zoning cases and other matters for the December 3, 2008 meeting (list on file with the Clerk of the Board). (C-44-09-050-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Public Works**

**65. ROAD FILE NO. 5804**

Set a public hearing to declare the following roads into the county highway system for 9:00 am, Wednesday, December 17, 2008.

Adopt a Resolution setting hearing on Road File No. 5804 to Open and Declare the following described alignments into the County Transportation System. General Vicinity: East of North Tuthill Road and South of West Indian School Road. This action is in accordance with A.R.S. Titles 28- 6701, 6705(A) and 11-806.01(M). Supervisor District No. 4. (C-91-09-064-M-00)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**CONSENT AGENDA**

**Clerk of the Board**

**66. ASRS CLAIMS**

Pursuant to A.R.S. §38-711 et., authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. Claims presented are on file in the Clerk of the Board's Office. (C-06-09-183-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**67. CHECK ENFORCEMENT FUND QUARTERLY REPORT**

In accordance with A.R.S. §13-1811(F) County Bad Check Trust Fund, receive the quarterly financial report from the County Attorney of all revenues and expenditures from the Check Enforcement Fund for the periods of June 2008 through September 2008. Report is on file in the Clerk of the Board's Office. (C-06-09-184-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**68. DUPLICATE WARRANTS**

Pursuant to A.R.S §11-632, approve and ratify the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. Necessary affidavits have been filed with the Board. Affidavits presented are on file in the Clerk of the Board's Office. (C-06-09-185-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**69. MARKET RANGES**

Pursuant to A.R.S. §§11-251.38 and 251.51, approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. List of additional and/or replacement market ranges are on file in the Clerk of the Board's office. (C-06-09-182-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**70. SECURED TAX ROLL CORRECTIONS**

Pursuant to A.R.S. §§42-15155, 16002, 16215, 16258, and 19118, approve requests from the Assessor for corrections of the Secured Tax Rolls Resolutions. This reflects actual tax dollar corrections to the County tax rolls due to administrative corrections of the Assessor and as a result of property tax appeals. Resolutions on file in the Clerk of the Board's Office. (C-06-09-186-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**71. STALE DATED WARRANTS**

Pursuant to A.R.S. §11-644 the Board of Supervisors finds that claims presented, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. List of claims is on file in the Clerk of the Board's Office. (C-06-09-187-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**72. TAX ABATEMENTS**

Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. List is on file in the Clerk of the Board's Office. (C-06-09-188-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**73. SETTLEMENT OF PROPERTY TAX CASES**

Pursuant to A.R.S. §§42-16201 through 16215, approve the settlement of tax cases dated November 18, 2008. List is on file in the Clerk of the Board's Office. (C-06-09-190-7-00)

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING RECESSED**

Chairman Kunasek recessed the Board of Supervisors to convene as various Boards of Directors.

**MEETING RECONVENED**

Chairman Kunasek reconvened the Board of Supervisors.



## **CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS**

74. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.)

No member of the public came forward to speak at this meeting.

75. Supervisors'/County Manager's summary of current events.

Supervisor Wilcox said Valley Forward has published a new edition of the Valley's Environmental Report Card and it is a public record for those interested in this report: Air Quality Received an "A"; Land Use received an "A"; Transportation received a "C+" but she was sure that would improve. Because the environment is so important that anytime we do well in this area, is a big plus.

Supervisor Wilson referenced the recent Air Quality Awards and felt they had been a success and said most of the jurisdictions in Maricopa County had sent representatives. He felt all who attended were left with a goal to maintain the momentum of recent achievements in our air quality, because it is paying dividends.

### **MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

\_\_\_\_\_  
Andrew Kunasek, Chairman of the Board

ATTEST:

\_\_\_\_\_  
Lori Pacini, Deputy Clerk of the Board